

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

KEVIN MARINELLI,
Petitioner

v.

JEFFREY BEARD, Commissioner,
Pennsylvania Department of Corrections;;
LOUIS B. FOLINO, Superintendent of
the State Correctional Institution at
Greene; and FRANKLIN J. TENNIS,
Superintendent of the State Correctional
Institution at Rockview,

Respondents:

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: CIVIL ACTION NO. 4:CV-07-0173
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: (Judge Mariani)
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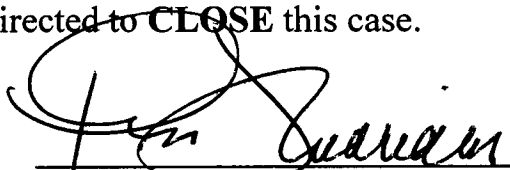
THIS IS A CAPITAL CASE

ORDER

AND NOW, THIS 26th DAY OF NOVEMBER, 2012, for the
reasons set forth in the accompanying Memorandum, **IT IS HEREBY**

ORDERED THAT:

1. The petition for writ of habeas corpus (Doc. 9, Petition) is **DENIED**.
2. A certificate of appealability shall issue only with respect to Petitioner's Confrontation Clause claim under Bruton v. United States, 391 U.S. 123 (1968) (Claim I). See 28 U.S.C. § 2253(c).
3. The Clerk of Court is directed to **CLOSE** this case.


United States District Judge